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VIA EMAIL

The Hon. Judge Cathy Seibel
300 Quarropas St., Courtroom 621
White Plains, NY 10601-4150

Letter Motion for Reconsideration

Dear Hon. Judge Seibel:

Intervenor hereby request that the court reconsider its Order that it retains jurisdiction in this matter. It is true that the Court would retain jurisdiction if Intervenor was appealing a **prior** preliminary injunction. Here, Intervenor is appealing an Order and TRO, which is distinguishable.

Accordingly, Intervenor is not appealing an injunction as the Court suggests, rather, the appeal is of a TRO exceeding 14 days for which the Second Circuit is yet to decide if it is to be treated as a preliminary injunction. Hence, the Court should wait for the Second Circuit to weigh in prior to conducting the injunction hearing pursuant to the Order on appeal.

It seems the court may continue to lack jurisdiction here. Therefore, the Court should reconsider, and order defendants to show cause why the hearing should not be dismissed.

Respectfully submitted,


Karen L. Willis, J.D.